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United States Bankruptcy Co	urt
Northern District of Illinois Eastern	Division

Voluntary Petition

Name of Debtor (if individual, enter Last, First, Middle):				Name o	Name of Joint Debtor (Spouse) (Last, First, Middle)							
	Kilian	, Robe	rt Stan	ley, Sr.	1		Kilian, Annie, Ambrogio					
All Other Names used by the Debtor in the last 8 years (include married, maiden and trade names):						All Other Names used by the Joint Debtor in the last 8 years (include married, maiden and trade names):						
Last four digits of Soc. Sec. or Individual-Taxpayer I.D. (ITIN) No./Complete EIN (if more than one, state all) * ***-**-0623					r digits of Soc. S than one, state a	all) *	I-Taxpayer I.D. (		mplete EIN			
Street Address of I	Debtor (No. &	Street, City, an	id State):			Street A	Address of Joint	Debtor (No. & S	Street, City, and	State):		
4040 Tans	y Road					4040	Tansy F	Road				
Aurora IL					60504		ora IL				60504	
County of Residen	ce or of the F	Principal Place o	f Business:			County	of Residence or	of the Principal	Place of Busine	ess:		
		DUP	AGE						DUPAGE	<b>E</b>		
Mailing Address of Debtor (if different from street address)				Mailing	Address of Joint	Debtor (if differ	rent from street a	address):				
Location of Princip	al Assets of E	Business Debtor	(if different fr	om street addr	ess above):							
	tor (Form of O	Organization)		Nature of Bu (Check one b	oox.)		•	ruptcy Code U	nder Which the	Petition is F	iled (Check one box)	
	(includes Joi t D on page 2 o	,		Care Business Asset Real Es		1 –	napter 7 napter 9		Chapter 1		•	
	on (includes L		define	d in 11 U.S.C		l _	napter 11		of a Forei	gn Main Proc	eeaing	
☐ Partnersh	in		Railroa			–	☐ Chapter 12 ☐ Chapter 15 Petition for Recognition					
_	lebtor is not o	one of the	<b>I</b>	odity Broker		□ Cr	Chapter 13 of a Foreign Nonmain Proceeding					
	tities, check th		☐ Clearii	ng Bank			Nature of Debts (Check one Box)					
and state	type of entity	below.)	☐ Other			<u> </u>	■ Debts are primarily consumer □ Debts are primarily business					
				Tax-Exempt Check box, if ap			debts, defined in 11 U.S.C. debts.  § 101(8) as "incurred by an					
			☐ Debtor	is a tax-exem	pt		individual primarily for a personal, family, or household					
				zation under T States Code (			purpose."					
			Reven	ue Code).								
		Filing Fee (Cl	heck one box)			Check o	Chapter 11 Debtors Check one box					
Filing Fee atta	ched						☐ Debtor is a small business debtor as defined in 11 U.S.C. § 101(51D)					
☐ Filing Fee to be	e paid in insta	allments (applica	able in individu	uals only). Mus	st attach							
signed applica	tion for the co	ourt's considerat	ion certifying	that the debtor	is		Check if:  Debtor's aggregate noncontingent liquidated debts (excluding debts owed to					
unable to pay f	ee except in	installments. Ru	ile 1006(b). Se	ee Official Forr	n 3A.	I — —	insiders or _affliates) are less than \$2,190,000.					
Filing Fee way			•	• • •			Check all applicable boxes:  A plan is being filed with this petition.					
attach signed a	аррисацоп ю	r the court's con	sideration. Se	e Official Forfi	I Jb.	l n A	cceptances of th				more classes	
Statistical/Admini	istrative Info	rmation				<u> </u>				This spa	ce is for court use only	
■ Debtor estima	tes that, after	will be available any exempt pro ion to unsecured	perty is exclu			enses paid, the	re will be no				,	
Estimated Number o		П	П									
1-	50-	100-	200-	1,000-	5,001-	10,001	25,001	50,001	Over			
49 Estimated Assets	99	199	999	5,000	10,000	25,000	50,000	100,000	100,000			
\$0 to	\$50,001to	\$100,001 to	\$500,001	\$1,000,001	\$10,000,001	\$50,000,001	\$100,000,001	\$500,000,001	More than			
\$50,000	\$100,000	\$500,000	to \$1 million	to \$10 million	to \$50 million	to \$100 million	to \$500 million	to \$1billion	\$1 billion			
Estimated Liabilities												
\$0 to	\$50,001 to	\$100,001 to	\$500,001	\$1,000,001	\$10,000,001	\$50,000,001 to \$100	\$100,000,001	\$500,000,001	More than \$1 billion			
\$50,000	\$100,000	\$500,000	to \$1	to \$10 million	to \$50	million	to \$500	to \$1billion	ψ i DilliOH			

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B1 (Official Form 1) (1/08)	Document	Page 2 of 40	
	oluntary Petition	Name of Debtor(s)	
This page must be	e completed and filed in every case)		bbert Stanley, Sr.
		Allille A	mbrogio Kilian
Location Where Filed:	All Prior Bankruptcy Case Filed Within Last 8	Years (if more than two, attach additional sheet Case Number:	t) Date Filed:
None		Case Nulliber.	Date Filed.
None			
Pendi	ing Bankruptcy Case Filed by any Spouse, Partner, or A	Affilate of this Debtor (if more than one, attach a	additional sheet)
Name of Debtor:		Case Number:	Date Filed:
None			
District:		Relationship:	Judge:
forms 10K and 10Q) with the pursuant to Section 13 or 1934 and is requesting relief u	Exhibit A r is required to file periodic reports (e.g., the Securities and Exchange Commission 15 (d) of the Securities Exchange Act of under chapter 11.)  Indicate the securities of the securities and the securities is a security of the securities and the securities are securities and the securities and the securities and the securities are securities and the securities and the securities and the securities are securities are securities are securities and the securities are sec	(To be completed if debtor is an individual I, the attorney for the petitioner named in the foliave informed the petitioner that [he or she] may or 13 of title 11, United States Code, and have each such chapter. I further certify that I have required by 11 USC § 342(b).	ay proceed under chapter 7, 11, 12 explained the relief available under
		W. Alexander Wilson	
Yes, and Exhibit C is a No.  (To be co	or have possession of any property that poses or is allegent attached and made a part of this petition.  Exh empleted by every individual debtor. If a joint petition is file signed by the debtor is attached and made a part of this p	<b>ibit D</b> ed, each spouse must complete and attach a sep	
If this is a joint petition:  Exhibit D also completed	and signed by the joint debtor is attached and made a pa	rt of this petition.	
	<u> </u>	ng the Debtor - Venue	
	been domiciled or has had a residence, principal pi preceding the date of this petition or for a longer p	lace of business, or principal assets in this	-
There is a b	ankruptcy case concerning debtor's affiliate, gener	ral partner, or partnership pending in this D	istrict.
States in this or proceeding	debtor in a foreign proceeding and has its principal s District, or has no principal place of business or a ng [in a federal or state court] in this District, or the t in this District.	assets in the United States but is a defenda	ant in an action
	Certification by a Debtor Who Reside	es as a Tenant of Residential Pro	perty
Landlord ha	is a judgment against the debtor for possession of	,	lete the
following.)	(Name of landlord that obtained judgment)		
	(Address of Landlord)		
permitted to	is that under applicable nonbankruptcy law, there a cure the entire monetary default that gave rise to t was entered, and		
Debtor has in	ncluded in this petition the deposit with the court of	f any rent that would become due during th	e 30-day
	the filing of the petition. fies that he/she has served the Landlord with this o	certification. (11 U.S.C. § 362(1))	

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#### **Voluntary Petition**

This page must be completed and filed in every case)

### Name of Joint Debtor(s)

Kilian, Robert Stanley, Sr. Annie Ambrogio Kilian

### **Signatures**

### Signature(s) of Debtor(s) (Individual/Joint)

I declare under penalty of perjury that the information provided in this petition is true and correct.

[If petitioner is an individual whose debts are primarily consumer debts and has chosen to file under chapter 7] I am aware that I may proceed under chapter 7,11, 12 or 13 of title 11, United States Code, understand the relief available under each such chapter, and choose to proceed under chapter 7.

[If no attorney represents me and no bankruptcy petition preparer signs the petition] I have obtained and read the notice required by 11 U.S.C. § 342(b).

I request relief in accordance with the chapter of title 11, United States Code, specified in this petition.

### /s/ Robert Stanley Kilian, Sr.

### **Robert Stanley Kilian**

Dated: 08/22/2009

/s/ Annie Ambrogio Kilian

### Annie Ambrogio Kilian

Dated: 08/22/2009

#### Signature of Attorney

### /s/ W. Alexander Wilson

Signature of Attorney for Debtor(s)

### W. Alexander Wilson

Printed Name of Attorney for Debtor(s)

LAW OFFICES OF PETER FRANCIS GERACI 55 E. Monroe Street #3400 Chicago IL 60603 312.332.1800 (PH)

Date: 08/24/2009

\* In a case in which § 707(b)(4)(D) applies, this signature also constitutes a certification that the attorney has no knowledge after an inquiry that the information in the schedules is

### Signature of Debtor (Corporation/Partnerhsip)

I declare under penalty of perjury that the information provided in this petition is true and correct, and that I have been authorized to file this petition on behalf of the debtor.

The debtor requests relief in accordance with the chapter of title 11, United States Code, specified in this petition.

Signature of Authorized Individual

Printed Name of Authorized Individual

Title of Authorized Individual

Date

#### Signature of a Foreign Representative

I declare under penalty of perjury that the information provided in this petition is true and correct, that I am the foreign representative of a debtor in a foreign proceeding, and that I am authorized to file this petition

(Check only one box.)

☐ I request relief in accordance with chapter 15 of title 11, United States Code. Certified copies of the documents required by 11 U.S.C. § 1515 are

Pursuant to 11 U.S.C. § 1511, I request relief in accordance with the chapter of title 11 specified in this petition. A certified copy of the order granting recognition of the foreign main proceeding is attached.

(Signature of Foreign Representative)

(Printed Name of Foreign Representative)

### << Sign & Date on Those Lines

### << Sign & Date on Those Lines

### Signature of Non-Attorney Bankruptcy Petition Preparer

I declare under penalty of perjury that: (1) I am a bankruptcy petition preparer as defined in 11 U.S.C. § 110; (2) I prepared this document for compensation and have provided the debtor with a copy of this document and the notices and information required under 11 U.S.C. §§ 110(b), 110(h), and 342(b); and, (3) if rules or guidelines have been promulgated pursuant to 11 U.S.C. § 110(h) setting a maximum fee for services chargeable by bankruptcy petition preparers, I have given the debtor notice of the maximum amount before preparing any document for fi ling for a debtor or accepting any fee from the debtor, as required in that section. Official Form 19B is attached.

Printed Name and title, if any, of Bankruptcy Petition Preparer

Social Security number (If the bankrutpcy petition preparer is not an individual, state the Social Security number of the officer, principal, responsible person or partner of the bankruptcy petition preparer.) (Required by 11 U.S.C. § 110.) Address

Signature of Bankruptcy Petition Preparer or officer, principal, responsible person, or partner whose social security number is provided above.

Names and Social Security numbers of all other individuals who prepared or assisted in preparing this document unless the bankruptcy petition preparer is not an individual:

If more than one person prepared this document, attach additional sheets conforming to the appropriate official form for each person.

A bankruptcy petition preparer's failure to comply with the provisions of title 11 and the Federal Rules of Bankruptcy Procedure may result in fines or imprisonment or both 11 U.S.C. §110; 18 U.S.C. §156.



## UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

Robert Stanley Kilian Sr. and Annie Ambrogio Kilian, Debtors

Bankruptcy Docket #:

## EXHIBIT D - INDIVIDUAL DEBTOR'S STATEMENT OF COMPLIANCE WITH CREDIT COUNSELING REQUIREMENT

Warning: You must be able to check truthfully one of the five statements regarding credit counseling listed below. If you cannot do so, you are not eligible to file a bankruptcy case, and the court can dismiss any case you do file. If that happens, you will lose whatever filing fee you paid, and your creditors will be able to resume collection activities against you. If your case is dismissed and you file another bankruptcy case later, you may be required to pay a second filing fee and you may have to take extra steps to stop creditors' collection activities.

Every individual debtor must file this Exhibit D. If a joint petition is filed, each spouse must complete and file a separate Exhibit D. check one of the five statements below and attach any documents as directed.

		Robert Stanley Kilian, Sr.	Here
Dated:	08/22/2009	/s/ Robert Stanley Kilian, Sr.	Sign & Date
I certify u	inder penalty of perjury that t	the information provided above is true and correct.	
does	The United States trustee or ban not apply in this district.	kruptcy administrator has determined that the credit counseling requirement of 11 U.S.C. § 10	9(h)
	Active military duty in a military	combat zone.	
parti	- ·	C. § 109(h)(4) as physically impaired to the extent of being unable, after reasonable effort, to a person, by telephone, or through the Internet.);	
of rea		C. § 109(h)(4) as impaired by reason of mental illness or mental deficiency so as to be incapa with respect to financial responsibilities.);	ble
by a r	4. I am not required to receive a cre motion for determination by the court.]	edit counseling briefing because of: [Check the applicable statement.] [Must be accompanied	
mana the 3	bankruptcy petition and promptly file a agement plan developed through the a 30-day deadline can be granted only fo	he court, you must still obtain the credit counseling briefing within the first 30 days after you file a certificate from the agency that provided the counseling, together with a copy of any debt agency. Failure to fulfill these requirements may result in dismissal of your case. Any extensior or cause and is limited to a maximum of 15 days. Your case may also be dismissed if the court ur bankruptcy case without first receiving a credit counseling briefing.	n of
•	s from the time I made my request, an can file my bankruptcy case now. [Mo	counseling services from an approved agency but was unable to obtain the services during the solution during the following exigent circumstances merit a temporary waiver of the credit counseling require ust be accompanied by a motion for determination by the court.] [Summarize exigent circumstance accompanied by a motion for determination by the court.]	ement
peri a co	ted States trustee or bankruptcy admir forming a related budget analysis, but	filing of my bankruptcy case, I received a briefing from a credit counseling agency approved by nistrator that outlined the opportunties for available credit counseling and assisted me in I do not have a certificate from the agency describing the services provided to me. You must fescribing the services provided to you and a copy of any debt repayment plan developed througur bankruptcy case is filed.	ile
perf	ted States trustee or bankruptcy admir forming a related budget analysis, and	filing of my bankruptcy case, I received a briefing from a credit counseling agency approved by nistrator that outlined the opportunties for available credit counseling and assisted me in I I have a certificate from the agency describing the services provided to me. Attach a copy of t ent plan developed through the agency.	

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# UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

Robert Stanley Kilian Sr. and Annie Ambrogio Kilian, Debtors

Bankruptcy Docket #:

## EXHIBIT D - INDIVIDUAL DEBTOR'S STATEMENT OF COMPLIANCE WITH CREDIT COUNSELING REQUIREMENT

Warning: You must be able to check truthfully one of the five statements regarding credit counseling listed below. If you cannot do so, you are not eligible to file a bankruptcy case, and the court can dismiss any case you do file. If that happens, you will lose whatever filing fee you paid, and your creditors will be able to resume collection activities against you. If your case is dismissed and you file another bankruptcy case later, you may be required to pay a second filing fee and you may have to take extra steps to stop creditors' collection activities

Every individual debtor must file this Exhibit D. If a joint petition is filed, each spouse must complete and file a separate Exhibit D. check one of the five statements below and attach any documents as directed.

		Annie Ambrogio Kilian	Here
Dated:	08/22/2009	/s/ Annie Ambrogio Kilian	Sign & Date
I certify	under penalty of perjury that	t the information provided above is true and correct.	
doe	<ol><li>The United States trustee or bases not apply in this district.</li></ol>	ankruptcy administrator has determined that the credit counseling requirement of 11 U.S.C.	§ 109(h)
	Active military duty in a militar	ry combat zone.	
par	• •	s.C. $\S$ 109(h)(4) as physically impaired to the extent of being unable, after reasonable effort, in person, by telephone, or through the Internet.);	to
of r	. , ,	S.C. § 109(h)(4) as impaired by reason of mental illness or mental deficiency so as to be income with respect to financial responsibilities.);	capable
by a	I am not required to receive a camotion for determination by the court	credit counseling briefing because of: [Check the applicable statement.] [Must be accompart.]	nied
ma the	ur bankruptcy petition and promptly file inagement plan developed through the 30-day deadline can be granted only	to the court, you must still obtain the credit counseling briefing within the first 30 days after you a certificate from the agency that provided the counseling, together with a copy of any debe agency. Failure to fulfill these requirements may result in dismissal of your case. Any exter for cause and is limited to a maximum of 15 days. Your case may also be dismissed if the your bankruptcy case without first receiving a credit counseling briefing.	t nsion of
so	ays from the time I made my request,	it counseling services from an approved agency but was unable to obtain the services during and the following exigent circumstances merit a temporary waiver of the credit counseling re [Must be accompanied by a motion for determination by the court.] [Summarize exigent circumstance]	equirement
 pe	nited States trustee or bankruptcy adrerforming a related budget analysis, b	ne filling of my bankruptcy case, I received a briefing from a credit counseling agency approvementation that outlined the opportunities for available credit counseling and assisted me in out I do not have a certificate from the agency describing the services provided to me. You ned describing the services provided to you and a copy of any debt repayment plan developed the your bankruptcy case is filed.	nust file
pe	nited States trustee or bankruptcy adr erforming a related budget analysis, a	ne filing of my bankruptcy case, I received a briefing from a credit counseling agency approve ministrator that outlined the opportunties for available credit counseling and assisted me in and I have a certificate from the agency describing the services provided to me. Attach a copyment plan developed through the agency.	•

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# UNITED STATES BANKÄUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

Robert Stanley Kilian Sr. and Annie Ambrogio Kilian, Debtors

In re

### **SUMMARY OF SCHEDULES**

Indicate as to each schedule whether that schedule is attached and state the number of pages in each. Report the totals from Schedules A, B, C, D, E, F, I and J in the boxes provided. Add the amounts from Schedules A and B to determine the total amount of the debtor's assets. Add the amounts from Schedules D, E, and F to determine the total amount of the debtor's liabilities. Individual debtors also must complete the "Statistical Summary of Certain Liabilities and Related Data" if they file a case under chapter 7, 11, or 13.

			AMOUNTS SCHEDULED		
Name of Schedule	Attached YES   NO Pages		Assets	Liabilities	Other
SCHEDULE A - Real Property	Yes	1	\$310,000	\$-	\$-
SCHEDULE B - Personal Property	Yes	3	\$30,179	\$-	\$-
SCHEDULE C - Property Claimed as Exempt	Yes	1+	\$-	\$-	\$-
SCHEDULE D - Creditors Holding Secured Claims	Yes	1+	\$-	\$310,831	\$-
SCHEDULE E - Creditors Holding Unsecured Priority Claims	Yes	2	\$-	\$-	\$-
SCHEDULE F - Creditors Holding Unsecured Nonpriority Claims	Yes	1+	\$-	\$118,868	\$-
SCHEDULE G - Executory Contracts and Unexpired Leases	Yes	1	\$-	\$-	\$-
SCHEDULE H - CoDebtors	Yes	1	\$-	\$-	\$-
SCHEDULE I - Current Income of Individual Debtor(s)	Yes	1	\$-	\$-	\$4,849
SCHEDULE J - Current Expenditures of Individual Debtor(s)	Yes	1	\$-	\$-	\$4,793
TOTALS			\$ 340,179 TOTAL ASSETS	\$ 429,699 TOTAL LIABILITIES	

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## UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

Robert Stanley Kilian Sr.and Annie Ambrogio Kilian, Debtors

Bankruptcy Docket #:

### STATISTICAL SUMMARY OF CERTAIN LIABILITIES - 28 U.S.C. § 159

If you are an individual debtor whose debts are primarily consumer debts as defined in 101(8) of the Bankrupto	СУ
Code (11 U.S.C. 101(8)), filing a case under chapter 7, 11 or 13, you must report all information requested below	
Check this box if you are an individual debtor whose debts are NOT primarily consumer debts and, therefore.	ar

Check this box if you are an individual debtor whose debts are NOT primarily consumer debts and, therefore, are not required to report any information here.

This information is for statistical purposes only under 28 U.S.C § 159 Summarize the following types of liabilities, as reported in the Schedules, and total them

Type of Liability	Amount
Domestic Support Obligations (From Schedule E)	\$ 0
Taxes and Certain Other Debts Owed to governmental Units (From Schedule E)	\$ 0
Claims for Death or Personal Injury While Debtor was Intoxicated (From Schedule E) whether disputed or undisputed)	\$ 0
Student Loan Obligations (From Schedule F)	\$ 0
Domestic Support Separation Agreement and Divorce Decree Obligations Not Reported on (Schedule E).	\$ 0
Obligations to Pension or Profit Sharing and Other Similar Obligations (From Schedule F)	\$ 0
TOTAL	\$ 0

### State the following:

Average Income (from Schedule I, Line 16)	\$ 4,849.31
Average Expenses (from Schedule J, Line 18)	\$ 4,792.79
Current Monthly Income (from Form 22A Line 12; or, Form 22B Line 11; or, Form 22C Line 20)	\$ 7,236.04

### State the following:

Total from Schedule D, "UNSECURED PORTION, IF ANY" column		\$ 69,120.00
2. Total from Schedule E, "AMOUNT ENTITLED TO PRIORITY" column	\$ 0.00	
3. Total from Schedule E, "AMOUNT NOT ENTITLED TO PRIORITY, IF ANY" Column		\$0
4. Total from Schedule F		\$ 118,868.00
5. Total of non-priority unsecured debt (sum of 1,3 and 4)		\$ 187,988.00

## UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

Robert Stanley Kilian Sr. and Annie Ambrogio Kilian, Debtors

### **SCHEDULE A - REAL PROPERTY**

Except as directed below, list all real property in which the debtor has any legal, equitable, or future interest, including all property owned as a co-tenant, community property, or in which the debtor has a life estate. Include any property in which the debtor holds rights and powers exercisable for the debtor's own benefit. If the debtor is married, state whether husband, wife, or both own the property by placing an "H," "W," "J," or "C" in the column labeled "Husband, Wife, Joint, or Community." If the debtor holds no interest in real property, write "None" under "Description and Location of Property."

Do not include interests in executory contracts and unexpired leases on this schedule. List them in Schedule G - Executory Contracts and Unexpired Leases.

If an entity claims to have a lien or hold a secured interest in any property, state the amount of the secured claim. See Schedule D. If no entity claims to hold a secured interest in the property, write "None" in the column labeled "Amount of Secured Claim."

If the debtor is an individual or if a joint petition is filed, state the amount of any exemption claimed in the amount of any exemption claimed in the property only in Schedule C - Property Claimed as Exempt.

Description and Location of Property	Nature of Debtor's Interest in Property	Husband Wife Joint Or Community	Current Value of Debtors Interest in Property Without Deducting and Secured Claim or Exemption	Amount of Secured Claim
4040 Tansy Road Aurora, IL 60504 - (Debtors primary residence)	Fee Simple	J	\$ 310,000	\$ 310,831

**Total Market Value of Real Property** 

(Report also on Summary of Schedules)

\$310,000.00

PFG Record # 447286 B6A (Official Form 6A) (12/07) Page 1 of 1

### UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

Robert Stanley Kilian Sr. and Annie Ambrogio Kilian, Debtors

### **SCHEDULE B - PERSONAL PROPERTY**

Except as directed below, list all personal property of the debtor of whatever kind. If the debtor has no property in one or more of the categories, place an "x" in the appropriate position in the column labled "None." If additional space is needed in any category, attach a separate sheet properly identified with the case name, case number, and the number of the category. If the debtor is married, state whether husband, wife, or both own the property by placing an "H," "W," "J," or "C" in the column labeled "HWJC." If the debtor is an individual or a joint petition is filed, state the amount of any exemptions claimed only in Schedule C - Property Claimed as Exempt.

#### Do not list interest in executory and unexpired leases on this schedule. List them in Schedule G.

If the property is being held for the debtor by someone else, state that person's name and address under "Description and Location of Property." In providing the information in this schedule, do not include the name or address of a minor child. Simpy state a "minor child."

If the property is being held for the debtor by someone else, state that person's name and address under "Description and Location of Property." If the property is being held for a minor child, simply state the child's initials and the name and address of the child's parent or quardian, such as "A.B., a minor child, by John Doe, guardian." Do not disclose the child's name. See, 11 U.S.C. §112 and Fed. R. Bankr. P. 1007(m).

Type of Property	Type of Property  Description and Location of Property  E			Debtor's Property Deduc	nt Value of s Interest in ty, Without cting Any ed Claim or	
01. Cash on Hand	Х					
02. Checking, savings or other financial accounts, certificates of deposit or shares in banks, savings and loan, thrift, building and loan, and homestead associations or credit unions, brokerage houses, or cooperatives.		Checking account with Oxford Bank. Account nubmer ending in 6801.	J	\$	100	
03. Security Deposits with public utilities, telephone companies, landlords and others.	Х	<u> </u>				
04. Household goods and furnishings, including audio, video, and computer equipment.		Household Goods: Big screen TV, 2 TVs, stereo, DVD		\$	3,000	
		player, recliner, loveseat, coffee and end table, dining set, table and chairs, small and large appliances, lawn mower, BBQ Grill				
05. Books, pictures and other art objects, antiques, stamp, coin, record, tape, compact disc, and other collections or collectibles.		Books, Compact Discs, Tapes/Records, Family Pictures		\$	40	
06. Wearing Apparel				•		
		Necessary wearing apparel.		\$	100	
07. Furs and jewelry.						
		Earrings, watch, costume jewelry, wedding bands	J	\$	150	
08. Firearms and sports, photographic, and other hobby equipment.		Camera, Musical instruments		\$	500	
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### UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

Robert Stanley Kilian Sr. and Annie Ambrogio Kilian, Debtors

SCHEDULE B - PERSONAL PROPERTY										
Type of Property	N O N E	Description and Location of Property	C H W J	Current Value of Debtor's Interest in Property, Without Deducting Any Secured Claim or						
09. Interests in insurance policies. Name insurance company of each policy and itemize surrender or refund value of each.										
		Term Life Insurance with Zurich - No Cash Surrender Value.	Н	\$ 0						
		Term Life Insurance with Zurich - No Cash Surrender Value.	W	\$ 0						
10. Annuities. Itemize and name each issuer.	X									
11. Interests in an educational IRA as defined in 26 U.S.C 530(b)(1) or under a qualified State tuition plan as defined in 26 U.S.C. 529(B)(1). Give particulars. (File separately the records(s) of any such interest(s). 11 U.S.C. 521(c); Rule 1007(b)).	X									
12. Interest in IRA,ERISA, Keogh, or other pension or profit sharing plans. Give particulars				¢ 24.794						
13. Stocks and interests in incorporated and unincorporated businesses.		Mr. Kilian's 401k - 100% exempt	Н	\$ 21,781						
		Stocktrade account Stocktrade account with Son (own two-thirds)		\$ 100 \$ 1,333						
14. Interest in partnerships or joint ventures. Itemize. Itemize.	X			,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,						
15. Government and corporate bonds and other negotiable and non-negotiable instruments.	X									
16. Accounts receivable	X									
17. Alimony, maintenance, support and property settlements to which the debtor is or may be entitled	X									
18. Other liquidated debts owing debtor including tax refunds. Give particulars.	X									
19. Equitable and future interests, life estates, and rights of power exercisable for the benefit of the debtor other than those listed in Schedule A - Real Property.	X									
20. Contingent and Non-contingent interests in estate of a decedent, death benefit plan, life insurance policy, or trust.	X									
21. Other contingent and unliquidated claims of every nature, including tax refunds, counter claims of the debtor, and rights to setoff claims. Give estimated value of each.  PFG Record # 447286	X			B) (12/07) Page 2 of 3						

# UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

Robert Stanley Kilian Sr. and Annie Ambrogio Kilian, Debtors

SCHEDULE B - PERSONAL PROPERTY										
Type of Property	N O N E	Description and Location of Property	H W J	Current Value of Debtor's Interest in Property, Without Deducting Any Secured Claim or						
22. Patents, copyrights and other intellectual property. Give particulars.	X									
23. Licenses, franchises and other general intangibles.	X									
24. Customer list or other compilations containing personally identifiable information (as defined in 11 USC 101 41A provided to the debtor by individuals in connection with obtaining a product or service from the debtor primarily for personal, family, or household purposes	X									
25. Autos, Truck, Trailers and other vehicles and accessories.										
		2003 Pontiac Montana Minvan with over 100,000 miles.	J	\$ 2,375						
		1999 Pontiac Montana Minivan with over 150,000 miles.	J	\$ 700						
26. Boats, motors and accessories.	X									
27. Aircraft and accessories.	X									
28. Office equipment, furnishings, and supplies.	X									
29. Machinery, fixtures, equipment, and supplie used in business.	X									
30. Inventory	X									
31. Animals		Family dog, Joey.	J	\$ 0						
32. Crops-Growing or Harvested. Give particulars.	Х									
33. Farming equipment and implements.	X									
34. Farm supplies, chemicals, and feed.	Х									
35. Other personal property of any kind not already listed. Itemize.	X									
		Total (Report also on Summary of Schedules)		\$30,179						

# Document Page 12 of 40 UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

Robert Stanley Kilian Sr. and Annie Ambrogio Kilian, Debtors

SCHEDULE C - PROPERTY CLAIMED EXEMPT									
Debtor claims the exemptions to which debtor is entitled under: (Check one box)  11 U.S.C. § 522(b)(2)  11 U.S.C. § 522(b)(3)	Check if debtor claims a homestead exemption that exceeds \$136,875								

Description of Property	Specify Law Providing Each Exemption	Value of Claimed Exemption	Current Value of Property without Deducting Exemption
00. Real Property  4040 Tansy Road Aurora, IL 60504 - (Debtors primary residence)	735 ILCS 5/12-901	\$ 30,000	\$ 310,000
02. Checking, savings or other financial accounts, certificates of deposit or shares in banks, savings and loan, thrift, building and loan, and homestead associations or credit unions, brokerage houses, or cooperatives.  Checking account with Oxford Bank. Account nubmer ending in 6801.	735 ILCS 5/12-1001(b)	\$ 100	\$ 100
04. Household goods and furnishings, including audio, video, and computer equipment.  Household Goods: Big screen TV, 2 TVs, stereo, DVD player, recliner, loveseat, coffee and end table, dining set, table and chairs, small and large appliances, lawn mower, BBQ Grill	735 ILCS 5/12-1001(b)	\$ 3,000	\$ 3,000
05. Books, pictures and other art objects, antiques, stamp, coin, record, tape, compact disc, and other collections or collectibles.  Books, Compact Discs, Tapes/Records, Family Pictures	735 ILCS 5/12-1001(a)	\$ 40	\$ 40
06. Wearing Apparel  Necessary wearing apparel.	735 ILCS 5/12-1001(a),(e)	\$ 100	\$ 100
07. Furs and jewelry.  Earrings, watch, costume jewelry, wedding bands	735 ILCS 5/12-1001(b)	\$ 150	\$ 150
08. Firearms and sports, photographic, and other hobby equipment.  Camera, Musical instruments	735 ILCS 5/12-1001(b)	\$ 500	\$ 500
09. Interests in insurance policies. Name insurance company of each policy and itemize surrender or refund value of each.  Term Life Insurance with Zurich - No Cash Surrender Value.	735 ILCS 5/12-1001(f)	\$ 0	\$ 0

PFG Record # 447286 B6C (Official Form 6C) (12/07) Page 1 of 2

# Document Page 13 of 40 UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

Robert Stanley Kilian Sr. and Annie Ambrogio Kilian, Debtors

SCHEDULE C - PROPERTY CLAIMED EXEMPT									
SCHEDULE C - PROPERT	1 CLA	INIED EVEINIL I							
Debtor claims the exemptions to which debtor is entitled under: (Check one box)  11 U.S.C. § 522(b)(2)  11 U.S.C. § 522(b)(3)		Check if debtor claims a homestead exemption that exceeds \$136,875							

erm Life Insurance with Zurich		Exemption	Deducting Exemption
No Cash Surrender Value.	735 ILCS 5/12-1001(f)	\$ 0	\$ 0
2. Interest in IRA,ERISA, Keogh, or other pension or profit sharing lans. Give particulars  Ir. Kilian's 401k - 100% exempt	735 ILCS 5/12-1006	\$ 21,781	\$ 21,781
3. Stocks and interests in incorporated and unincorporated			
usinesses. Stocktrade account	735 ILCS 5/12-1001(b)	\$ 100	\$ 100
tocktrade account with Son (own two-thirds)	735 ILCS 5/12-1001(b)	\$ 1,333	\$ 1,333
5. Autos, Truck, Trailers and other vehicles and accessories.			
003 Pontiac Montana Minvan with over 100,000 miles.	735 ILCS 5/12-1001(c)	\$ 2,375	\$ 2,375
999 Pontiac Montana Minivan with over 150,000 miles.	735 ILCS 5/12-1001(c)	\$ 700	\$ 700
1. Animals	735 ILCS 5/12-1001(b)	\$ 0	Φ. 0
amily dog, Joey.	735 IECS 5/12-1001(b)	\$ 0	\$ 0

PFG Record # 447286 B6C (Official Form 6C) (12/07) Page 2 of 2

## UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

Robert Stanley Kilian Sr. and Annie Ambrogio Kilian, Debtors

#### SCHEDULE D - CREDITORS HOLDING SECURED CLAIMS

State the name, mailing address, including zip code, and last four digits of any account number of all entities holding claims secured by property of the debtor as of the date of filing of the petition. The complete account number of any account the debtor has with the creditor is useful to the trustee and the creditor and may be provided if the debtor chooses to do so. List creditors holding all types of secured interests such as judgment liens, garnishments, statutory liens, mortgages, deeds of trust, and other security interests.

List creditors in alphabetical order to the extent practicable. If a minor child is the creditor, state the child's initials and the name and address of the child's parent or guardian, such as "A.B., a minor child, by John Doe, guardian." Do not disclose the child's name. See, 11 U.S.C. §112 and Fed. R. Bankr. P. 1007(m). If all secured creditors will not fit on this page, use the continuation sheet provided.

If any entity other than a spouse in a joint case may be jointly liable on a claim, place an "X" in the column labeled "Codebtor," include the entity on the appropriate schedule of creditors, and complete Schedule H - Codebtors. If a joint petition is filed, state whether husband, wife, both of them, or the marital community may be liable on each claim by placing an "H," "W," "J," or "C" in the column labeled "Husband, Wife, Joint, or Community."

If the claim is contingent, place an "X" in the column labeled "Contingent." If the claim is unliquidated, place an "X" in the column labeled "Unliquidated." If the claim is disputed, place an "X" in the column labeled "Disputed." (You may need to place an "X" in more than one of these three columns.)

Total the columns labeled "Amount of Claim Without Deducting Value of Collateral" and "Unsecured Portion, if Any" in the boxes labeled "Total(s) on the last sheet of the completed schedule. Report the total from the column labeled "Amount of Claim Without Deducting Value of Collateral" also on the Summary of Schedules and, if the debtor is an individual with primarily consumer debts, report the total from the column labeled "Unsecured Portion, if Any" on the Statistical Summary of Certain Liabilities and Related Data.

Check this box if debtor has no creditors holding unsecured claims to report on this Schedule D.

	Creditor's Name and Mailing Address Including Zip and Account Number (See Instructions Above)	Codebtor	C A H	* Date Claim was Incured  * Nature of Lien  *Value of Property Subject to Lien  *Description of Property	Contingent	Unliquidated	Disputed	Amount of Claim Without Deducting Value of	Unsecured Portion, If Any
1	BAC HOME Loans Servici Attn: Bankruptcy Dept. 450 American St Simi Valley CA 93065 Acct No.: 122881368		Н	Dates: 2005-2009  Nature of Lien: Mortgage - Second  Market Value: \$ 310,000  Intention: None  *Description: 4040 Tansy Road Aurora, IL 60504 - (Debtors primary residence)				\$ 69,120	\$ 69,120
2	BAC HOME Loans Servici Attn: Bankruptcy Dept. 450 American St Simi Valley CA 93065 Acct No.: 28359761		J	Dates: 2003-2009 Nature of Lien: Mortgage Market Value: \$ 310,000 Intention: Reaffirm 524 (c) *Description: 4040 Tansy Road Aurora, IL 60504 - (Debtors primary residence)				\$ 241,711	\$ 0

Total

\$ 310,831 \$ 6

\$ 69,120

(Report also on Summary of Schedules.) (if applicatble, report also on Statistical Summary of Certain Liabilities and Related Data.)

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## UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

Robert Stanley Kilian Sr. and Annie Ambrogio Kilian, Debtors

In re

### SCHEDULE E - CREDITORS HOLDING UNSECURED PRIORITY CLAIMS

A complete list of claims entitled to priority, listed separately by type of priority, is to be set forth on the sheets provided. Only holders of unsecured claims entitled to priority should be listed in this schedule. In the boxes provided on the attached sheets, state the name, mailing address, including zip code, and last four digits of the account number, if any, of all entities holding priority claims against the debtor or the property of the debtor, as of the date of the filing of the petition. Use a separate continuation sheet for each type of priority and label each with the type of priority.

The complete account number of any account the debtor has with the creditor is useful to the trustee and the creditor and may be provided if the debtor chooses to do so. If a minor child is a creditor, state the child's initials and the name and address of the child's parent or guardian, such as "A.B., a minor child, by John Doe, guardian." Do not disclose the child's name. See, 11 U.S.C. §112 and Fed. R. Bankr. P. 1007(m).

If any entity other than a spouse in a joint case may be jointly liable on a claim, place an "X" in the column labeled "Codebtor," include the entity on the appropriate schedule of creditors, and complete Schedule H-Codebtors. If a joint petition is filed, state whether the husband, wife, both of them, or the marital community may be liable on each claim by placing an "H," "W," "J," or "C" in the column labeled "Husband, Wife, Joint, or Community." If the claim is contingent, place an "X" in the column labeled "Contingent." If the claim is unliquidated, place an "X" in the column labeled "Unliquidated." If the claim is disputed, place an "X" in the column labeled "Disputed." (You may need to place an "X" in more than one of these three columns.)

Report the total of claims listed on each sheet in the box labeled "Subtotals" on each sheet. Report the total of all claims listed on this Schedule E in the box labeled "Total" on the last sheet of the completed schedule. Report this total also on the Summary of Schedules.

Report the total of amounts entitled to priority listed on each sheet in the box labeled "Subtotals" on each sheet. Report the total of all amounts entitled to priority listed on this Schedule E in the box labeled "Totals" on the last sheet of the completed schedule. Individual debtors with primarily consumer debts who file a case under chapter 7 or 13 report this total also on the Statistical Summary of Certain Liabilities and Related Data.

Report the total of amounts not entitled to priority listed on each sheet in the box labeled "Subtotals" on each sheet. Report the total of all amounts not entitled to priority listed on this Schedule E in the box labeled "Totals" on the last sheet of the completed schedule. Individual debtors

	Check this box if debtor has no creditors holding unsecured priority claims to report on this Schedule E.
TYPE	S OF PRIORITY CLAIMS (Check the appropriate box(es) below if claims in that category are listed on the attached sheets)
	Domestic Support Obligations Claims for domestic support that are owed to or recoverable by a spouse, former spouse, or child of the debtor, or the parent, legal guardian, or responsible relative of such a child, or a governmental unit to whom such a domestic support claim has been assigned to the extent provided in 11 U.S.C. § 507(a)(1).
$\square$	Extensions of Credit in an involuntary case Claims arising in the ordinary course of the debtor's business or financial affairs after the commencement of the case but bfore the earlier of the appointment of a trustee or the order for relief. 11 U.S.C. § 507(a)(3).
	Wages, salaries, and commissions Wages, salaries, and commissions, including vacation, severance, and sick leave pay owing to employees and commissions owing to qualifying independent sales representatives up to \$10,950 * per person earned within 180 days immediately preceding the filing of the original petition, or the cessation of business, whichever occurred first, to the extent provided in 11 U.S.C. § 507(a)(4).
	Contributions to employee benefit plans  Money owed to employee benefit plans for services rendered within 180 days immediately preceding the filing of the original petition, or the cessation of business, whichever occurred first, to the extent provided in 11 U.S.C. § 507(a)(5).
	Certain farmers and fishermen Claims of certain farmers and fishermen, up to \$5,400* per farmer or fisherman, against the debtor, as provided in 11 U.S.C. § 507(a)(6).
Ш,	Deposits by individuals  Claims of individuals up to \$2,425* for deposits for the purchase, lease, or rental of property or services for personal, family, or household use, that were not delivered or provided. 11 U.S.C. § 507(a)(7).
	Taxes and certain other Debts Owed to Governmental Units  Taxes, customs duties, and penalties owing to federal, state, and local governmental units as set forth in 11 U.S.C. § 507(a)(8).
, L	Commitments to maintain the capital of insured depository institution  Claims based on commitments to the FDIC, RTC, Director of the Office of Thrift Supervision, Comptroller of the Currency, or Board of Governors of the Federal Reserve System, or their predecessors or successors, to maintain the capital of an insured depository institution. 11 U.S.C. § 507 (a)(9).
	Claims for death or personal injury while debtor was intoxicated  Claims for death or personal injury resulting from the operation of a motor vehicle or vessel while the debtor was intoxicated from using alcohol, a drug, or another substance. 11 U.S.C. § 507(a)(10).

\* Amounts are subject to adjustment on April 10, 2010, and every three years thereafter with respect to cases commenced on or after the date of adjustment.

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### UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

Robert Stanley Kilian Sr. and Annie Ambrogio Kilian / Debtors

#### SCHEDULE F - CREDITORS HOLDING UNSECURED NON-PRIORITY CLAIMS

State the name, mailing address, including zip code, and last four digits of any account number, of all entities holding unsecured claims without priority against the debtor or the property of the debtor, as of the date of filing of the petition. The complete account number of any account the debtor has with the creditor is useful to the trustee and the creditor and may be provided if the debtor chooses to do so. If a minor child is a creditor, state the child's initials and the name and address of the child's parent or guardian, such as "A.B., a minor child, by John Doe, guardian." Do not disclose the child's name. See, 11 U.S.C. §112 and Fed. R. Bankr. P. 1007(m). Do not include claims listed in Schedules D and E. If all creditors will not fit on this page, use the continuation sheet provided.

If any entity other than a spouse in a joint case may be jointly liable on a claim, place an "X" in the column labeled "Codebtor," include the entity on the appropriate schedule of creditors, and complete Schedule H - Codebtors. If a joint petition is filed, state whether the husband, wife, both of them, or the marital community may be liable on each claim by placing an "H," "W," "J," or "C" in the column labeled "Husband, Wife, Joint, or Community."

If the claim is contingent, place an "X" in the column labeled "Contingent." If the claim is unliquidated, place an "X" in the column labeled "Unliquidated." If the claim is disputed, place an "X" in the column labeled "Disputed." (You may need to place an "X" in more than one of these three columns.)

Report the total of all claims listed on this schedule in the box labeled "Total" on the last sheet of the completed schedule. Report this total also on the Summary of Schedules and, if the debtor is an individual with primarily consumer debts filing a case under chapter 7, report this total also on the Statistical Summary of Certain Liabilities and Related Data.

Check this box if debtor has no creditors holding unsecured claims to report on this Schedule F.

ᆫ				•				
	Creditor's Name, Mailing Address Including Zip Code and Account Number (See Instructions Above)	Codebtor	C H M	Date Claim Was Incurred and Consideration For Claim. If Claim is Subject to Setoff, So State	Contingent	Unliquidated	Disputed	Amount of Claim
1	AMEX Attn: Bankruptcy Dept. Po Box 297871 Fort Lauderdale FL 33329 Acct #: XXXXX0623		Н	Dates: 2004 Reason: Credit Card or Credit Use				\$ 25,500
2	BANK OF America Attn: Bankruptcy Dept. Pob 17054 Wilmington DE 19884 Acct #: XXXXX0623		Н	Dates: 2008 Reason: Credit Card or Credit Use				\$ 51,400
3	Byrum Health Care Attn: Bankruptcy Dept. 3010 Woodcreek Dr. STE A Downers Grove IL 60515 Acct #: U		J	Dates: 2009 Reason: Medical Debt				\$ 268

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# Document Page 17 of 40 UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

Robert Stanley Kilian Sr. and Annie Ambrogio Kilian / Debtors

In re

	SCHEDULE F - CREDITORS HOLDING UNSECURED NON-PRIORITY CLAIMS										
	Creditor's Name, Mailing Address Including Zip Code and Account Number (See Instructions Above)	Codebtor	C A M	Date Claim Was Incurred and Consideration For Claim. If Claim is Subject to Setoff, So State	Contingent	Unliquidated	Disputed	Amount of Claim			
4	Capital One Attn: Bankruptcy Dept. Po Box 85520 Richmond VA 23285 Acct #: XXXXX0623		J	Dates: 2000 Reason: Credit Card or Credit Use				\$ 13,500			
5	Capital ONE, N.A. Attn: Bankruptcy Dept. 2730 Liberty Ave Pittsburgh PA 15222 Acct #: 592640281313		Н	Dates: 2006 Reason: Personal Loan				\$ 13,200			
6	City of Aurora  Bankruptcy Department  44 E. Downer Pl.  Aurora IL 60507  Acct #: 09-121646		J	Dates: 2009 Reason: Medical Debt				\$ 400			
7	Commerce Bank Bankruptcy Department PO Box 411036 Kansas City MO 64141 Acct #: 4412540002303641		J	Dates: 2009 Reason: Credit Card or Credit Use				\$ 5,000			
8	Discover FIN SVCS LLC Attn: Bankruptcy Dept. Po Box 15316 Wilmington DE 19850 Acct #: XXXXX0623		Н	Dates: 2008 Reason: Credit Card or Credit Use				\$ 5,100			
9	Equifax Attn: Bankruptcy Dept. P.O. Box 740241 Atlanta GA 30374 Acct #: XXXXX0623			Dates: 2009 Reason: Notice Only				\$ 0			
10	Experian Attn: Bankruptcy Dept. P.O. Box 2002 Allen TX 75013			Dates: 2009 Reason: Notice Only				\$ 0			
	Acct #: XXXXX0623			Dec (Official							

# UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

Robert Stanley Kilian Sr. and Annie Ambrogio Kilian / Debtors

In re

SCHEDULE F - CREDITORS HOLDING UNSECURED NON-PRIORITY CLAIMS								
Creditor's Name, Mailing Address Including Zip Code and Account Number (See Instructions Above)	Codebtor	C A H	Date Claim Was Incurred and Consideration For Claim. If Claim is Subject to Setoff, So State	Contingent	Unliquidated	Disputed	Amount of Claim	
11 GEMB/Meijer Attn: Bankruptcy Dept. Po Box 981400 El Paso TX 79998 Acct #: XXXXX0623		Н	Dates: 2007 Reason: Credit Card or Credit Use				\$ 800	
12 PCC C/O Client Services INC 3451 Harry S Truman Blvd Saint Charles MO 63301 Acct #: 9268296		Н	Dates: 2009 Reason: Collecting for Creditor				\$ 300	
13 Sears/CBSD Attn: Bankruptcy Dept. Po Box 6189 Sioux Falls SD 57117 Acct #: XXXXX0623		Н	Dates: 2006 Reason: Credit Card or Credit Use				\$ 3,400	
14 TransUnion Attn: Bankruptcy Dept. P.O. Box 1000 Chester PA 19022 Acct #: XXXXX0623			Dates: 2009 Reason: Notice Only				\$ 0	

**Total Amount of Unsecured Claims** 

(Report also on Summary of Schedules)

\$ 118,868.00

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## UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

Robert Stanley Kilian Sr. and Annie Ambrogio Kilian, Debtors

### SCHEDULE G - EXECUTORY CONTRACTS AND UNEXPIRED LEASES

Describe all executory contracts of any nature and all unexpired leases of real or personal property. Include any timeshare interests. State nature of debtor's interest in contract, i.e., "Purchaser," "Agent," etc. State whether debtor is the lessor or lessee of a lease. Provide the names and complete mailing addresses of all other parties to each lease or contract described. If a minor child is a party to one of the leases or contracts, state the child's initials and the name and address of the child's parent or guardian, such as "A.B., a minor child, by John Doe, guardian." Do not disclose the child's name. See, 11 U.S.C. §112 and Fed. R. Bankr. P. 1007(m).

Check this box if debtor has no executory contracts or unexpired leases.

Name and Mailing Address, Including Zip Code, of Other Parties to Lease or Contract. Description of Contract or Lease and Nature of Debtor's Interest. State whether Lease is for Non-Residential Real Property. State Contract Number or Any Government Contract.

1 Heritage Associates Corp

313 3rd Ave SE PO BOX 74050 Cedar Rapids IA 52407 Intention: Reject Lease
Contract Type: Lease on Property

Terms/Month:

Buy Out:

Begin Date:

Debtor Int: Tenant

Description: Bldg 52, room 7

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## UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

Robert Stanley Kilian Sr.and Annie Ambrogio Kilian, Debtors

### **SCHEDULE H - CODEBTORS**

Provide the information requested concerning any person or entity, other than a spouse in a joint case, that is also liable on any debts listed by the debtor in the schedules of creditors. Include all guarantors and co-signers. If the debtor resides or resided in a community property state, commonwealth, or territory (including Alaska, Arizona, California, Idaho, Louisiana, Nevada, New Mexico, Puerto Rico, Texas, Washington, or Wisconsin) within the eight-year period immediately preceding the commencement of the case, identify the name of the debtor 's spouse and of any former spouse who resides or resided with the debtor in the community property state, commonwealth, or territory. Include all names used by the nondebtor spouse during the eight years immediately preceding the commencement of this case. If a minor child is a codebtor or a creditor, state the child's initials and the name and address of the child's parent or guardian, such as "A.B., a minor child, by John Doe, guardian." Do not disclose the child's name. See, 11 U.S.C. §112 and Fed. R. Bankr. P. 1007(m).

Check this box if debtor has no codebtors.

Name and Address of CoDebtor	Name and Address of the Creditor
[x] None	
Millianic	

PFG Record # 447286 B6H (Official Form 6H) (12/07) Page 1 of 1

# UNITED STATES BARRETT C + COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

Robert Stanley Kilian Sr. and Annie Ambrogio Kilian, Debtors

Bankruptcy Docket #:

### SCHEDULE I - CURRENT INCOME OF INDIVIDUAL DEBTOR(S)

The column labeled "Spouse" must be completed in all cases filed by joint debtors and by every married debtor, whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed. Do not state the name of any minor child. The average monthly income calculated on this form may differ from the current monthly income calculated on Form 22A, 22B, or 22C.

Debtor's Marital	DEPENDENTS OF D	EBTOR AND SPOUSE ~ RELATIONSHIP AND AGE
Status: Married	18 Son 14 Daugther 8 Daugther	
	DEBTOR EMPLOYMENT	SPOUSE EMPLOYMENT
Occupation:	Systems Sales Manager	Unemployed - Homemaker
Name of Employer:	Richards - Wilcox Inc	
Years Employed	7 months	
Employer Address:	600 S. Lake Street	
City, State, Zip	Aurora, IL 60506	,

INCOME: (Estimate of average or projected monthly income at time case filed.)	DEBTOR	SPOUSE
1. Monthly Gross Wages, Salary, and commissions	\$ 5,000.00	\$ 0.00
(Prorate if not paid monthly.)  2. Estimated Monthly Overtime	\$ 0.00	\$ 0.00
3. SUBTOTAL	\$ 5,000.00	\$ 0.00
4. LESS PAYROLL DEDUCTIONS		
a. Payroll Taxes and Social Security	\$ 1,527.78	\$ 0.00
b. Insurance	\$ 453.87	\$ 0.00
c. Union Dues	\$ 0.00	\$ 0.00
d. Other (Specify)  Pension: -	\$ 0.00	\$ 0.00
Voluntary 401 Contributions:	\$ 0.00	\$ 0.00
Child Support:	\$ 0.00	\$ 0.00
Life Insurance, Uniforrms, 401K Loan:	\$ 35.36	\$ 0.00
5. SUBTOTAL OF PAYROLL DEDUCTIONS	\$ 2,017.02	\$ 0.00
_		
6. TOTAL NET MONTHLY TAKE HOME PAY	\$ 2,982.98	\$ 0.00
7. Regular income from operation of business or profession or farm	\$ 0.00	\$ 0.00
8. Income from real property	\$ 0.00	\$ 0.00
9. Interest and dividends	\$ 0.00	\$ 0.00
10. Alimony, maintenance or support payments payable to the debtor	\$ 0.00	\$ 0.00
for the debtor's use or that of dependents listed above.		\$ 0.00
11. Social Security or government assistance (Specify)	\$ 0.00	
12. Pension or retirement income	\$ 0.00	\$ 0.00
13. Other monthly income (Specify:) Commissions & & _	\$ 250.00	\$ 0.00
Unemployment Income	\$ 0.00	\$ 1,616.33
14. SUBTOTAL OF LINES 7 THROUGH 13		
15. AVERAGE MONTHLY INCOME (Add amounts shown on lines 6 and 14)	\$ 3,232.98	\$ 1,616.33
16. COMBINED AVERAGE MONTHLY INCOME (Combine column totals fromline 15;	\$ 4,849	9.31
f there is only one debtor repeat total reported on line 15.)	Report also on Summary of Schedules and	if applicable on Statistical Summary

Report also on Summary of Schedules and, if applicable, on Statistical Summary of Certain Liabilities and Related Data.)

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<sup>17.</sup> Describe any increase or decrease in income reasonably anticipated to occur within the year following the filing of this document: **None** 

# UNITED STATES BANKRUPT CYCOURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

Record #: 447286

Robert Stanley Kilian Sr. and Annie Ambrogio Kilian, Debtors

Bankruptcy Docket #:

SCHEDULE J - CURRENT EXPENSES OF INDIVIDUAL DEBTOR(	S)
Complete this schedule by estimating the average monthly expenses of the debtor and the debtor's family at time case filed. Prorate a payments made bi-weekly, quarterly, semi-annually, or annually to show monthly rate.	any
Check box if joint petition is filed & debtor's spouse maintains a separate household. Complete a separate schedule of expenditures labeled "S	pouse".
Rent or home mortgage payment (include lot rented for mobile home)	\$ 3,029.79
a. Real Estate taxes included? [] Yes [x] No b. Property insurance included? [] Yes [x] N	
2. Utilities: a. Electricity and Heating Fuel	\$ 220.00
b. Water, Sewer, Garbage	\$ -
c. Cellphone, Internet	\$ 75.00
d. Other Home Phone and Cable Television	\$ -
3. Home Maintenance (repairs and upkeep)	\$ 45.00
4. Food	\$ 400.00
5. Clothing	\$ 60.00
6. Laundry and Dry Cleaning	\$ 20.00
7. Medical and Dental Expenses	\$ 100.00
B. Transportation (not including car payments)  Gas, Tolls/Parking, Fees/Licenses, Repair, Bus/Train	\$ 376.00
9. Recreation, Clubs and Entertainment, Newspapers, Magazines, etc.	\$ 40.00
10. Charitable Contributions	\$ -
11. Insurance (not deducted from wages or included in home mortgage payments)	\$ -
a. Homeowner's or Renter's	\$ -
b. Life	· · · · · · · · · · · · · · · · · · ·
c. Health	<u>\$-</u>
d. Auto	\$ 80.00
e. Other	<b>\$</b> -
12. Taxes (not deducted from wages or included in home mortgage payments)	•
(Specify) Federal or State Tax Repayments, Real Estate Taxes	\$ -
13. Installment Payments: (In Chapter 11, 12, and 13 cases, do not list payments to be included in plan)	\$-
a. Auto b. Reaffirmation Payments	\$ -
c. Other	\$- \$-
14. Alimony, maintenance and support paid to others	\$-
15. Payments for support of additional dependents not living at your home	\$-
16. Regular expenses from operation of business, profession, or farm (attach detailed statement)	\$ -
17. Other: Haircuts, Hygiene, Newspaper/Mags & Tuition, Books & Childcare & Pet Eyecare, Meds Postage/Banking GLS Repay: Babysitting Care:	Ψ
\$235.00 \$52.00 \$60.00 \$ - \$ -	\$347.00
18. AVERAGE MONTHLY EXPENSES (Total lines 1-17. Report also on Summary of Schedules and if applicable, on the Stastical of Summary of Certain Liabilities and Related Data.	\$ 4,792.79
19. Describe any increase/decrease in expenditures anticipated to occur within the year following the filing this do <i>None</i>	ocument:
20. STATEMENT OF MONTHLY NET INCOME  a. Average monthly income from Line 15 of Schedule I	\$ 4,849.31
b. Average monthly expenses from Line 18 above	\$ 4,792.79
c. Monthly net income (a. minus b.)	\$ 56.52
d. Total amount to be paid into plan monthly	\$ -
d. Total amount to be paid into plan monthly	<del>*</del>

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# UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

Robert Stanley Kilian Sr. and Annie Ambrogio Kilian, Debtors

Bankruptcy Docket #:

#### DECLARATION CONCERNING DEBTOR'S SCHEDULES

#### **DECLARATION UNDER PENALTY OF PERJURY BY INDIVIDUAL DEBTOR**

I declare under penalty of perjury that I have read the foregoing summary and schedules, and that they are true and correct to the best of my knowledge, information and belief. I have disclosed on the foregoing schedules all property or assets I may have an interest in, the correct value of it, and every debt I may be liable for. I accept the risk that some debts won't be discharged. I have been advised of the difference between Chapter 7 and Chapter 13, income & expense concepts, budgeting, and have made full disclosure.

Debtor's attorney has advised debtor that creditors can object to discharge of their debt on a variety of grounds including fraud, recent credit usage, divorce and support obligations and reckless conduct.

Debtor's attorney has advised debtor that non-dischargeable debts such as taxes, student loans, fines by government units and liens on property of debtor are generally unaffected by bankruptcy.

Dated:	08/22/2009	/s/ Robert Stanley Kilian, Sr.	X Date & Sign
		Robert Stanley Kilian, Sr.	
Dated:	08/22/2009	/s/ Annie Ambrogio Kilian	X Date & Sign
		Annie Ambrogio Kilian	

if joint case, both spouses must sign. If NOT a joint case the joint debtor will NOT appear.

Penalty for making a false statement: Fine of up to \$500,000 or imprisonment for up to 5 years, or both. 18 U.S.C. Sections 152 and 3571

#### DECLARATION AND SIGNATURE OF NON-ATTORNEY BANKRUPTCY PETITION PREPARER (See 11 U.S.C. 110)

Non-Attorney Petition Preparers were **NOT** used to prepare any portion of this petition. All documents were produced by the Law Offices of Peter Francis Geraci.

THIS SECTION ONLY APPLIES TO PETITION PREPARERS AND HAS NOTHING TO DO WITH THIS CASE

#### DECLARATION UNDER PENALTY OF PERJURY ON BEHALF OF A CORPORATION OR PARTNERSHIP

This is a personal bankruptcy for an individual(s) and **NOT** a corporation or partnership.

THIS SECTION ONLY APPLIES TO CORPORTATIONS & PARTNERSHIPS AND HAS NOTHING TO DO WITH THIS CASE

Penalty for making a false statement: Fine of up to \$500,000 or imprisonment for up to 5 years, or both. 18 U.S.C. Sections 152 and 3571

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### UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

Robert Stanley Kilian Sr. and Annie Ambrogio Kilian, Debtors

### STATEMENT OF FINANCIAL AFFAIRS

This statement is to be completed by every debtor. Spouses filing a joint petition may file a single statement on which the information for both spouses is combined. If the case is filed under chapter 12 or chapter 13, a married debtor must furnish information for both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed. An individual debtor engaged in business as a sole proprietor, partner, family farmer, or self-employed professional, should provide the information requested on this statement concerning all such activities as well as the individual's personal affairs. To indicate payments, transfers and the like to minor children, state the child's initials and the name and address of the child's parent or guardian, such as "A.B., a minor child, by John Doe, guardian." Do not disclose the child's name. See, 11 U.S.C. §112 and Fed. R. Bankr. P. 1007(m).

Questions 1 - 18 are to be completed by all debtors. Debtors that are or have been in business, as defined below, also must complete Questions 19 - 25. If the answer to an applicable question is "None," mark the box labeled "None." If additional space is needed for the answer to any question, use and attach a separate sheet properly identified with the case name, case number (if known), and the number of the question.

#### **DEFINITIONS**

"In business." A debtor is "in business" for the purpose of this form if the debtor is a corporation or partnership. An individual debtor is "in business" for the purpose of this form if the debtor is or has been, within six years immediately preceding the filling of this bankruptcy case, any of the following: an officer, director, managing executive, or owner of 5 percent or more of the voting or equity securities of a corporation; a partner, other than a limited partner, of a partnership; a sole proprietor or self-employed full-time or part-time. An individual debtor also may be "in business" for the purpose of this form if the debtor engages in a trade, business, or other activity, other than as an employee, to supplement income from the debtor's primary employment.

"Insider." The term "insider" includes but is not limited to: relatives of the debtor; general partners of the debtor and their relatives; corporations of which the debtor is an officer, director, or person in control; officers, directors, and any owner of 5 percent or more of the voting or equity securities of a corporate debtor and their relatives; affiliates of the debtor and insiders of such affiliates; any managing agent of the debtor. 11 U.S.C. § 101.

#### 01. INCOME FROM EMPLOYMENT OR OPERATION OF BUSINESS:

State the gross amount of income the debtor has received from employment, trade, or profession, or from operation of the debtor's business, including part-time activities either as an employee or in independent trade or business, from the beginning of this calendar year to the date this case was commenced. State also the gross amounts received during the two years immediately preceding this calendar year. (A debtor that maintains, or has maintained, financial records on the basis of a fiscal rather than a calendar year may report fiscal year income. Identify the beginning and ending dates of the debtor's fiscal year.) If a joint petition is filed, state income for each spouse separately. (Married debtors filing under chapter 12 or chapter 13 must state income of both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

AMOUNT	SOURCE	
2009: \$40,940	Employment	
2008: \$100,000 2007: \$105,000		
2007. ψ100,000		
Spouse		
AMOUNT	SOURCE	

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# Document Page 25 of 40 UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

Robert Stanley Kilian Sr. and Annie Ambrogio Kilian, Debtors

STATEMENT OF FINANCIAL AFFAIRS				
	•			
AMOUNT	SOURCE			
2009: \$8,186.50 2008: \$18,350 2007: \$24,871	employment			
02. INCOME OTHER THAN FROM I	EMPLOYMENT OR OPERATION OF BUSINES	SS:		
spouse separately. (Married debtors	the commencement of this case. Give particula filing under chapter 12 or chapter 13 must state rated and a joint petition is not filed.)  .			
AMOUNT	SOURCE			
2009: \$0 2008: \$5,621 2007: \$0	unemployment			
Spouse				
AMOUNT	SOURCE			
2009: \$0	withdrawl from pension			
2008: \$9.846				
2007: \$0	Unemployment			
2009: \$5,129 2008: \$5,778	Guemployment			
2007: \$0				
03. PAYMENTS TO CREDITORS:				
Complete a. or b. as appropriate, an	d c.			
services, and other debts to any cred value of all property that constitutes that were made to a creditor on acco an approved nonprofit budgeting and	R(S) WITH PRIMARILY CONSUMER DEBTS: L ditor made within 90 days immediately proceeding or is affected by such transfer is not less than \$ bunt of a domestic support obligation or as part of d creditor counseling agency. (Married debtors	ng the commencement of this case if 600.00. Indicate with an asterisk (*) a of an alternative repayment schedule filing under chapter 12 or chapter 13	the aggregate any payments under a plan by must include	
payments by either or both spouses	whether or not a joint petition is filed, unless the	spouses are separated and a joint p	etition is not filed.)	
Name and Address	Dates of	Amount	etition is not filed.) Amount	

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## UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

Robert Stanley Kilian Sr. and Annie Ambrogio Kilian, Debtors

### STATEMENT OF FINANCIAL AFFAIRS

03. PAYMENTS TO CREDITORS:

Complete a. or b. as appropriate, and c.

a. INDIVIDUAL OR JOINT DEBTOR(S) WITH PRIMARILY CONSUMER DEBTS: List all payments on loans, installment purchases of goods or services, and other debts to any creditor made within 90 days immediately proceeding the commencement of this case if the aggregate value of all property that constitutes or is affected by such transfer is not less than \$600.00. Indicate with an asterisk (\*) any payments that were made to a creditor on account of a domestic support obligation or as part of an alternative repayment schedule under a plan by an approved nonprofit budgeting and creditor counseling agency. (Married debtors filing under chapter 12 or chapter 13 must include payments by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

Name and Address	Dates of	Amount	Amount
of Creditor	Payments	Paid	Still Owing
BAC HOME Loans Servici	Monthly	\$718/month	\$69,120
450 American St			
Simi Valley CA 93065			
<b>BAC HOME Loans</b>	Monthly	\$2,288/month	\$241,711
Servici			
450 American St			
Simi Valley CA 93065			

NONE



b. DEBTOR WHOSE DEBTS ARE NOT PRIMARILY CONSUMER DEBTS: List each payment or other transfer to any creditor made with 90 days immediately preceding the commencement of the case if the aggregate value of all property that constitutes or is affected by such transfer is not less than \$5,000 (Married debtors filing under chapter 12 or chapter 13 must include payments and other transfers by each or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

Name and Address Dates of Amount Paid or Value of Amount of Creditor Payment/Transfers Transfers Still Owing

NONE

c. ALL DEBTORS: List all payments made within 1 year immediately preceding the commencement of this case to or for the benefit of creditors who are or were insiders. (Married debtors filing under chapter 12 or chapter 13 must include payments be either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

 Name & Address of Creditor
 Dates
 Amount Paid or Value of
 Amount

 & Relationship to Debtor
 of Payments
 Transfers
 Still Owing

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# Document Page 27 of 40 UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

Robert Stanley Kilian Sr. and Annie Ambrogio Kilian, Debtors

	STATEMENT OF FINA	HOIAL AI I AINO	
04. SUITS AND ADMINISTRATIV	/E PROCEEDINGS, EXECUTIONS, GARNISHM	ENTS AND ATTACHMENTS:	
	<b>________</b>		
this bankruptcy case. (Married de	proceedings to which the debtor is or was a party ebtors filing under chapter 12 or chapter 13 must led, unless the spouses are separated and a joint	include information concerning either o	
CAPTION OF	NATURE	COURT	STATUS
SUIT AND	OF	OF AGENCY	OF
CASE NUMBER	PROCEEDING	AND LOCATION	DISPOSITION
Brill v. Daewoo 02-bk-24411	class action		
process within (1) one year prece	ARNISHED: Describe all property that has been adding the commencement of this case. (Married doff either or both spouses whether or not a joint pe	ebtors filing under chapter 12 or chapte	er 13 must include
·	Dete	Description	
lame and Address of Person for Whose Benefit Property	Date of	Description and Value	
was Seized	Seizure	of Property	
returned to the seller, within one	possessed by a creditor, sold at a foreclosure sale year immediately preceding the commencement of on concerning property of either or both spouses	of this case. (Married debtors filing unde	er chapter 12 or
Creditor or Seller	Sale, Transfer or Return	Value of Property	
	V/EDSHIDS:		
06. ASSIGNMENTS AND RECEI	VEROITI 6.		
Describe any assignment of procase. (Married debtors filing under	operty for the benefit of creditors made within 120 or chapter 12 or chapter 13 must include any assigns are separated and a joint petition is not filed.)	· · · · ·	
case. (Married debtors filing unde	operty for the benefit of creditors made within 120 or chapter 12 or chapter 13 must include any assig	· · · · ·	
a. Describe any assignment of procase. (Married debtors filing unde petition is filed, unless the spouse	operty for the benefit of creditors made within 120 or chapter 12 or chapter 13 must include any assigns are separated and a joint petition is not filed.)	gnment by either or both spouses whet	

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# Document Page 28 of 40 UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

Robert Stanley Kilian Sr. and Annie Ambrogio Kilian, Debtors

Francis Geraci 55 E Monroe St Suite#3400 Chicago,IL 60603

b. List all property which has been in the hands of a custodian, receiver, or court-appointed official within one (1) year immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning property of either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)				
Address	of Court Case	of	and Value of	
of Custodian	Title & Number	Order	Property	
07. GIFTS:				
usual gifts to family members ag than \$100 per recipient. (Marrie	nutions made within one year immediately preceding t ggregating less than \$200 in value per individual fami d debtors filing under chapter 12 or chapter 13 must i filed, unless the spouses are separated and a joint p Relationship	ly member and charitable contribut nclude gifts or contributions by eith	ions aggregating less	
or	to Debtor,	of	and Value	
Organization	If Any	Gift	of Gift	
List all losses from fire, theft, otl commencement of this case. (N	her casualty or gambling within one year immediately larried debtors filing under chapter 12 or chapter 13 r	nust include losses by either or bot		
commencement of this case. (N		nust include losses by either or bot		
List all losses from fire, theft, otl commencement of this case. (N	Married debtors filing under chapter 12 or chapter 13 r	nust include losses by either or bot		
List all losses from fire, theft, ot commencement of this case. (No or not a joint petition is filed, unl	farried debtors filing under chapter 12 or chapter 13 r less the spouses are separated and a joint petition is Description of Circumstances and, if Loss Was Covered in Whole or in	nust include losses by either or bot not filed.)		
List all losses from fire, theft, ott commencement of this case. (No or not a joint petition is filed, unl	farried debtors filing under chapter 12 or chapter 13 r less the spouses are separated and a joint petition is Description of Circumstances and,	nust include losses by either or bot not filed.) Date		
List all losses from fire, theft, otl commencement of this case. (Nor not a joint petition is filed, unl Description and Value	farried debtors filing under chapter 12 or chapter 13 r less the spouses are separated and a joint petition is Description of Circumstances and, if Loss Was Covered in Whole or in	nust include losses by either or bot not filed.) Date of		
List all losses from fire, theft, oth commencement of this case. (No or not a joint petition is filed, unless the commencement of this case. (No or not a joint petition is filed, unless the commence of Property and Property  Flood, due to sump pump failure; \$8000	Parried debtors filing under chapter 12 or chapter 13 reless the spouses are separated and a joint petition is  Description of Circumstances and, if Loss Was Covered in Whole or in Part by Insurance, Give Particulars	nust include losses by either or bot not filed.) Date of		
List all losses from fire, theft, ott commencement of this case. (Nor not a joint petition is filed, unless of Property  Flood, due to sump pump failure; \$8000  09. PAYMENTS RELATED TO  List all payments made or proper concerning debt consolidation, in	farried debtors filing under chapter 12 or chapter 13 r less the spouses are separated and a joint petition is  Description of Circumstances and, if Loss Was Covered in Whole or in Part by Insurance, Give Particulars  Flood, not covered by insurance  DEBT COUNSELING OR BANKRUPTCY: erty transferred by or on behalf of the debtor to any perelief under the bankruptcy law or preparation of a per	nust include losses by either or bot not filed.)  Date of Loss  ersons, including attorneys, for con	h spouses whether	
List all losses from fire, theft, ott commencement of this case. (Nor not a joint petition is filed, unless the commencement of this case. (Nor not a joint petition is filed, unless the commencement of percent of Property  Flood, due to sump pump failure; \$8000  09. PAYMENTS RELATED TO  List all payments made or property	farried debtors filing under chapter 12 or chapter 13 r less the spouses are separated and a joint petition is  Description of Circumstances and, if Loss Was Covered in Whole or in Part by Insurance, Give Particulars  Flood, not covered by insurance  DEBT COUNSELING OR BANKRUPTCY: erty transferred by or on behalf of the debtor to any perelief under the bankruptcy law or preparation of a per	nust include losses by either or bot not filed.)  Date of Loss  ersons, including attorneys, for con	sultation ear immediately  Amount of Money of	
List all losses from fire, theft, oth commencement of this case. (No or not a joint petition is filed, unless of Property  Flood, due to sump pump failure; \$8000  09. PAYMENTS RELATED TO  List all payments made or proper concerning debt consolidation, in preceding the commencement of t	farried debtors filing under chapter 12 or chapter 13 r less the spouses are separated and a joint petition is  Description of Circumstances and, if Loss Was Covered in Whole or in Part by Insurance, Give Particulars  Flood, not covered by insurance  DEBT COUNSELING OR BANKRUPTCY: erty transferred by or on behalf of the debtor to any perelief under the bankruptcy law or preparation of a per	nust include losses by either or bot not filed.)  Date of Loss  ersons, including attorneys, for con ition in bankruptcy within one (1) y	h spouses whether sultation ear immediately	

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### UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

Robert Stanley Kilian Sr. and Annie Ambrogio Kilian, Debtors

### STATEMENT OF FINANCIAL AFFAIRS

09a. PAYMENTS RELATED TO DEBT COUNSELING OR BANKRUPTCY: List all payments made or property transferred by or on behalf of the debtor to any persons, including attorneys, for consultation concerning debt consolidation, relief under the bankruptcy law or preparation of a petition in bankruptcy within 1 year immediately preceding the commencement of this case.

Name and Address of Payee Date of Payment, Name of Payer if Other Than Debtor

2009

Amount of Money or description and Value of Property

\$50.00

MMI/CCCS 9009 W. Loop S. Houston, TX 77096 Phone 866.983.2227

NONE

#### 10. OTHER TRANSFERS

a. List all other property, other than property transferred in the ordinary course of the business or financial affairs of the debtor, transferred either absolutely or as security with two (2) years immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include transfers by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

Name and Address of Transferee, Relationship to Debtor

. . Date Describe Property
Transferred and
Value Received

NONE

Χ

10b. List all property transferred by the debtor within ten (10) years immediately preceding the commencement of this case to a self-settled trust or similar device of which the debtor is a beneficiary.

Name of Trust or other Device Date(s) of Transfer(s) Amount and Date of Sale or Closing

NONE

### 11. CLOSED FINANCIAL ACCOUNTS:

List all financial accounts and instruments held in the name of the debtor or for the benefit of the debtor which were closed, sold, or otherwise transferred within one (1) year immediately preceding the commencement of this case. Include checking, savings, or other financial accounts, certificates of deposit, or other instruments; shares and share accounts held in banks, credit unions, pension funds, cooperatives, associations, brokerage houses and other financial institutions. (Married debtors filing under chapter 12 or chapter 13 must include information concerning accounts or instruments held by or for either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

Name and Address of Institution Type of Account, Last Four Digits of Account Number, and Amount of Final Balance

Amount and
Date of Sale or
Closing

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# Document Page 30 of 40 UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

Robert Stanley Kilian Sr. and Annie Ambrogio Kilian, Debtors

	STATEMENT OF FINANCIAL AFFAIRS			
12. SAFE DEPOSIT BOXES:				
immediately preceding the comm	ox or depository in which the debtor has or had section and this case. (Married debtors filing under uses whether or not a joint petition is filed, unless the	er chapter 12 or chapter 13 must inc	lude boxes or	
Name and Address of Bank or Other Depository	Names & Addresses of Those With Access to Box or depository	Description of Contents	Date of Transfer o Surrender, if Any	
13. SETOFFS:	tor, including a bank, against a debt or denocit of th	ne debter within 90 days preceding t	the commencement	
of this case. (Married debtors filin	tor, including a bank, against a debt or deposit of the gunder chapter 12 or chapter 13 must include inforthe spouses are separated and a joint petition is not be spoused.	rmation concerning either or both sp		
Name and Address of Creditor	Date of Setoff	Amount of Setoff		
14. LIST ALL PROPERTY HELD	FOR ANOTHER PERSON:			
	FOR ANOTHER PERSON: or person that the debtor holds or controls.			
		Location of Property		
List all property owned by anothe  Name and Address  of Owner  15. PRIOR ADDRESS OF DEBT	per person that the debtor holds or controls.  Description and  Value of Property	of Property	ch the debtor	
List all property owned by anothe  Name and Address  of Owner  15. PRIOR ADDRESS OF DEBT	Description and Value of Property  OR(S):	of Property  nt of this case, list all premises whic		
List all property owned by anothe  Name and Address of Owner  15. PRIOR ADDRESS OF DEBT  If debtor has moved within three occupied during that period and within three occupied.	Description and Value of Property  OR(S):	of Property  nt of this case, list all premises whic		

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# UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

Robert Stanley Kilian Sr. and Annie Ambrogio Kilian, Debtors

Site Name

and Address

16. SPOUSES and FORMER SPO	DUSES:		
Louisiana, Nevada, New Mexico,	a community property state, commonwealth, or Puerto Rico, Texas, Washington, or Wisconsin) ify the name of the debtor's spouse and of any	within eight (8) years immediately pre	ceding the
Name			
17. ENVIRONMENTAL INFORMA	TION:		
For the purpose of this question, t			
oxic substances, wastes or mater statutes or regulations regulating t	ederal, state, or local statute or regulation regulation the air, land, soil surface water, ground the cleanup of the these substances, wastes, or or property as defined under any Environments	water, or other medium, including, but r material.	not limited to,
operated by the debtor, including, "Hazardous material" means anyti			·
environmental Law.			
	f every site for which the debtor has received no lation of an Environmental Law. Indicate the go	0,0	•
Site Name and Address	Name and Address of Governmental Unit	Date of Notice	Environmental Law

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Date

of Notice

Environmental

Law

Name and Address

of Governmental Unit

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In re

Robert Stanley Kilian Sr. and Annie Ambrogio Kilian, Debtors

17c. List all judicial or administrative proc debtor is or was a party. Indicate the nam number.			•
Name and Address of	Docket	Status of	
Governmental Unit	Number	Disposition	
18 NATURE, LOCATION AND NAME OF	FBUSINESS		
a. If the debtor is an individual, list the na	mes, addresses, taxpayer identification	on numbers, nature of the businesses, an	d beginning and
		tner, or managing executive of a corporati	• •
partnership, sole proprietor, or was self-e	mployed in a trade, profession, or oth	er activity either full- or part-time within si	x (6) years
immediately preceding the commenceme	ent of this case, or in which the debtor	owned 5 percent or more of the voting or	equity securities
within six (6) years immediately preceding	g the commencement of this case.		
If the debtor is a partnership, list the nam ending dates of all businesses in which the	es, addresses, taxpayer identification ne debtor was a partner or owned 5 p	numbers, nature of the businesses, and ercent or more of the voting or equity sec	• •
If the debtor is a partnership, list the nam ending dates of all businesses in which the (6) years immediately preceding the comments.	es, addresses, taxpayer identification ne debtor was a partner or owned 5 pmencement of this case.	ercent or more of the voting or equity second	urities, within six
If the debtor is a partnership, list the nam ending dates of all businesses in which the (6) years immediately preceding the coming the debtor is a corporation, list the name	es, addresses, taxpayer identification ne debtor was a partner or owned 5 pmencement of this case.  es, addresses, taxpayer identification	ercent or more of the voting or equity second numbers, nature of the businesses, and	urities, within six
If the debtor is a partnership, list the namending dates of all businesses in which the (6) years immediately preceding the comil of the debtor is a corporation, list the namending dates of all businesses in which the	es, addresses, taxpayer identification ne debtor was a partner or owned 5 pmencement of this case.  es, addresses, taxpayer identification ne debtor was a partner or owned 5 pmencement of the case.	ercent or more of the voting or equity second	urities, within six
If the debtor is a partnership, list the namending dates of all businesses in which the (6) years immediately preceding the composition of the debtor is a corporation, list the namending dates of all businesses in which the (6) years immediately preceding the composition of the debtor is a corporation.	es, addresses, taxpayer identification ne debtor was a partner or owned 5 pmencement of this case.  es, addresses, taxpayer identification ne debtor was a partner or owned 5 pmencement of the case.	numbers, nature of the voting or equity secund numbers, nature of the businesses, and ercent or more of the voting or equity secund	urities, within six beginning and urities within six
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If the debtor is a partnership, list the namending dates of all businesses in which the (6) years immediately preceding the complete debtor is a corporation, list the namending dates of all businesses in which the (6) years immediately preceding the complete & Last Four Digits of oc. Sec. No./Complete EIN or	es, addresses, taxpayer identification ne debtor was a partner or owned 5 pmencement of this case.  es, addresses, taxpayer identification ne debtor was a partner or owned 5 pmencement of this case.	numbers, nature of the voting or equity sectors or more of the businesses, and ercent or more of the voting or equity sectors.  Nature  of	beginning and urities within six  Beginning and and arities within six
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If the debtor is a partnership, list the namending dates of all businesses in which the (6) years immediately preceding the complete debtor is a corporation, list the namending dates of all businesses in which the (6) years immediately preceding the complete & Last Four Digits of Sec. No./Complete & EIN or Other TaxPayer I.D. No.	es, addresses, taxpayer identification ne debtor was a partner or owned 5 p mencement of this case. es, addresses, taxpayer identification ne debtor was a partner or owned 5 p mencement of this case.	numbers, nature of the businesses, and ercent or more of the businesses, and ercent or more of the voting or equity sectors.  Nature  of  Business	beginning and urities within six  Beginning and and arities within six
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# Document Page 33 of 40 UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

Robert Stanley Kilian Sr. and Annie Ambrogio Kilian, Debtors

	STATEMENT OF FI	NANCIAL AFFAIRS
has been, within six years immedia executive, or owner of more than 5	ately preceding the commencement of this	ration or partnership and by any individual debtor who is or case, any of the following: an officer, director, managing of a corporation; a partner, other than a limited partner, of a r activity, either full- or part-time.
· ·	ding the commencement of this case. A de	nly if the debtor is or has been in business, as defined above, btor who has not been in business within those six years
19. BOOKS, RECORDS AND FIN	IANCIAL STATEMENTS:	
List all bookkeepers and accounta the keeping of books of account ar		receding the filing of this bankruptcy case kept or supervised
Name	Dates Services	
and Address	Rendered	-
	a financial statement of the debtor.  . Address	ng the filing of this bankruptcy case have audited the books of  Dates Services  Rendered
	o at the time of the commencement of this faccount and records are not available, ex	case were in possession of the books of account and records plain.
Name	Address	-
	reditors and other parties, including mercar years immediately preceding the commend	ntile and trade agencies, to whom a financial statement was cement of this case.
Name and	Date	
	Issued	

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# Document Page 34 of 40 UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

Robert Stanley Kilian Sr. and Annie Ambrogio Kilian, Debtors

	STATEMENT OF FIN	ANCIAL AFFAIRS
20. INVENTORIES		
ist the dates of the last two he dollar amount and basis of		person who supervised the taking of each inventory, and
Date	Inventory	Dollar Amount of Inventory
of Inventory	Supervisor	(specify cost, market of other basis)
List the name and address	of the person having possession of the records of	each of the inventories reported in a., above.
Date	Name and Addresses of Custodian	
of Inventory	of Inventory Records	
21. CURRENT PARTNERS,	OFFICERS, DIRECTORS AND SHAREHOLDERS	:
a. If the debtor is a partnersh	ip, list nature and percentage of interest of each me	ember of the partnership.
Name	Nature	Percentage of
and Address	of Interest	Interest
21b. If the debtor is a corpora	ation, list all officers & directors of the corporation; a	nd each stockholder who directly or indirectly owns,
21b. If the debtor is a corpora controls, or holds 5% or more	ation, list all officers & directors of the corporation; as of the voting or equity securities of the corporation	nd each stockholder who directly or indirectly owns,
21b. If the debtor is a corpora	ation, list all officers & directors of the corporation; a	nd each stockholder who directly or indirectly owns,
21b. If the debtor is a corpora controls, or holds 5% or more Name and Address	ation, list all officers & directors of the corporation; as of the voting or equity securities of the corporation .  Title	nd each stockholder who directly or indirectly owns, . Nature and Percentage of
21b. If the debtor is a corpora controls, or holds 5% or more Name and Address	ation, list all officers & directors of the corporation; at e of the voting or equity securities of the corporation  Title  DEFICERS, DIRECTORS AND SHAREHOLDERS:	nd each stockholder who directly or indirectly owns,  Nature and Percentage of Stock Ownership
21b. If the debtor is a corpora controls, or holds 5% or more Name and Address	ation, list all officers & directors of the corporation; as of the voting or equity securities of the corporation .  Title	nd each stockholder who directly or indirectly owns,  Nature and Percentage of Stock Ownership  st of each member of the partnership.
21b. If the debtor is a corpora controls, or holds 5% or more Name and Address	ation, list all officers & directors of the corporation; at e of the voting or equity securities of the corporation  Title  DEFICERS, DIRECTORS AND SHAREHOLDERS:	nd each stockholder who directly or indirectly owns,  Nature and Percentage of Stock Ownership
21b. If the debtor is a corpora controls, or holds 5% or more Name and Address  22. FORMER PARTNERS, of the debtor is a partnership, . Name	ation, list all officers & directors of the corporation; at of the voting or equity securities of the corporation.  Title  DFFICERS, DIRECTORS AND SHAREHOLDERS: list the nature and percentage of partnership interes.  Address  ation, list all officers, or directors whose relationship	nd each stockholder who directly or indirectly owns,  Nature and Percentage of Stock Ownership  st of each member of the partnership.  Date of
21b. If the debtor is a corpora controls, or holds 5% or more Name and Address  22. FORMER PARTNERS, of the debtor is a partnership, Name	ation, list all officers & directors of the corporation; at of the voting or equity securities of the corporation.  Title  DFFICERS, DIRECTORS AND SHAREHOLDERS: list the nature and percentage of partnership interes.  Address  ation, list all officers, or directors whose relationship	nd each stockholder who directly or indirectly owns,  Nature and Percentage of Stock Ownership  st of each member of the partnership.  Date of Withdrawal

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In re

Robert Stanley Kilian Sr. and Annie Ambrogio Kilian, Debtors

b. If the debtor is a corporation, mediately preceding the comme	•	with the corporation terminated within one (1) year
Name and Address	Title	Date of Termination
and Address	Tiue	Terrimation
. WITHDRAWALS FROM A PA	RTNERSHIP OR DISTRIBUTION BY A COP	
		redited or given to an insider, including compensation in any uisite during one year immediately preceding the
Name and Address of	Date and	Amount of Money or
Recipient, Relationship to	Purpose of	Description and value of
Debtor	Withdrawal	Property
. TAX CONSOLIDATION GROU	JP:	
tax purposes of which the debt		imber of the parent corporation of any consolidated group  6) years immediately preceding the commencement of the
r tax purposes of which the debt		
r tax purposes of which the debt se.	or has been a member at any time within six (	
tax purposes of which the debt se.  Name of  Parent Corporation	or has been a member at any time within six (  Taxpayer	
tax purposes of which the debt se.  Name of Parent Corporation  5. PENSION FUNDS:	or has been a member at any time within six of the following state o	
r tax purposes of which the debtase.  Name of Parent Corporation  5. PENSION FUNDS: the debtor is not an individual, lis	or has been a member at any time within six of the following state o	6) years immediately preceding the commencement of the

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### UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

Robert Stanley Kilian Sr. and Annie Ambrogio Kilian, Debtors

### STATEMENT OF FINANCIAL AFFAIRS

### **DECLARATION UNDER PENALTY OF PERJURY BY INDIVIDUAL DEBTOR**

I declare under penalty of perjury that I have read the answers contained in the foregoing statement of financial affairs and any attachment thereto and that they are true and correct.

Dated: 08/22/2009 /s/ Robert Stanley Kilian, Sr. X Date & Sign

Robert Stanley Kilian, Sr.

Dated: 08/22/2009 /s/ Annie Ambrogio Kilian X Date & Sign

**Annie Ambrogio Kilian** 

Penalty for making a false statement: Fine of up to \$500,000 or imprisonment for up to 5 years, or both. 18 U.S.C. Sections 152 and 3571

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# UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

Robert Stanley Kilian Sr. and Annie Ambrogio Kilian / Debtors

### **DEBTOR'S STATEMENT OF INTENTION**

PART A - Debts secured by property of the estate. (Part A must be fully completed for EACH debt which is secured by property of the estate. Attach additional pages if necessary.)

Property No. 1		
Creditor's Name: <b>BAC HOME Loans Servici</b> Attn: Bankruptcy Dept.	Describe Property Securing Debt: 4040 Tansy Road Aurora, IL 60504 - (Debtors primary residence)	
450 American St Simi Valley CA 93065		
Property will be (check one):		
□Surrendered	Retained	
If retaining the property, I intend to (check at lea	st one):	
☐Redeem the property		
■Reaffirm the debt		
□Other. Explain 522(f)).	(for example, avoid lien using 110 U.S.C. §	
Property is (check one):		
■Claimed as exempt	□Not claimed as exempt	

### PART B - Personal property subject to unexpired leases. (All three columns of Part B must be completed for each unexpired lease. Attach additional pages if necessary.)

Property No. 1			
Lessor's Name:	Describe Property Securing Debt:	Lease will be	
Heritage Associates Corp		assumed pursuant to	
313 3rd Ave SE	Bldg 52, room 7	11 U.S.C. § 365(p)(2):	
PO BOX 74050		■ Vaa □ Na	
Cedar Rapids IA 52407		■ Yes □ No	
	<u></u>		

I declare under penalty of perjury that the above indicates my intention as to any property of my estate securing a debt and/or personal property subject to an unexpired lease.					
Dated:	08/22/2009 /s/ Robert Stanley Kilian, Sr.		X Date & Sign		
		Robert Stanley Kilian, Sr.	A Date & Sign		
Dated:	08/22/2009	/s/ Annie Ambrogio Kilian	X Date & Sign		
		Annie Ambrogio Kilian	A Date & Sign		

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### UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

Robert Stanley Kilian Sr. and Annie Ambrogio Kilian, Debtors

Bankruptcy Docket #:

DICCI	ACHDE	$\boldsymbol{\alpha}$	COMPENIE	TIAN AF	ATTORNEY	DEDTAD	2000
					$\nabla \cdot   \cdot   \cdot   \rightarrow   \cap \vdash A$		ZIIIAB

Pursuant to 11 U.S.C. § 329(a) and Fed. Bankr. P. 2016(b), I certify that I am the attorney for the above named debtor(s) and that compensation paid to me within one year before the filing of the petition in bankruptcy, or agreed to be paid to me, for services rendered or to be rendered on behalf of the debtor(s) in contemplation of or in connection with the bankruptcy case is as follows:

The compensation paid or promised by the Debtor(s), to the undersigned, is as follows: \$3,000 For legal services, Debtor(s) agrees to pay and I have agreed to accept \$3,000 Prior to the filing of this Statement, Debtor(s) has paid and I have received The Filing Fee has been paid. **Balance Due** \$0 The source of the compensation paid to me was:

- - Debtor(s) Other: (specify)
- The source of compensation to be paid to me on the unpaid balance, if any, remaining is:

Debtor(s) Other: (specify)

The undersigned has received no transfer, assignment or pledge of property from the debtor(s) except the following for the value stated: None.

- The undersigned has not shared or agreed to share with any other entity, other than with members of the undersigned's law firm, any compensation paid or to be paid without the client's consent, except as follows: None.
- The Service rendered or to be rendered include the following:
- (a) Analysis of the financial situation, and rendering advice and assistance to the client in determining whether to file a petition under Title 11, U.S.C.
- Preparation and filing of the petition, schedules, statement of affairs and other documents required by the court.
- Representation of the client at the first scheduled meeting of creditors.
- Advice as required.
- By agreement with the debtor(s), the above-disclosed fee does not include the following service: Fee does NOT include missed court dates & amendments to schedules, contested matters, motions, objections to discharge or other matters except the first meeting of creditors.

#### CERTIFICATION

I certify that the foregoing is a complete statement of any agreement or arrangement for payment to me for representation of the debtor(s) in this bankruptcy proceedings.

Respectfully Submitted,

/s/ W. Alexander Wilson 08/24/2009 Dated:

> Attorney Name: W. Alexander Wilson LAW OFFICES OF PETER FRANCIS GERACI 55 E. Monroe Street #3400 Chicago IL 60603 312.332.1800 (PH) 312.332.6354 (FAX)

Bar No: 6278725

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## UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

Robert Stanley Kilian, Sr. and Annie Ambrogio Kilian, Debtors

### **VERIFICATION OF CREDITOR MATRIX**

The above named Debtor(s) hereby verify that the attached list of creditors is true and correct to the best of our knowledge.

I DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE AND CORRECT.

Dated: 08/22/2009 /s/ Robert Stanley Kilian, Sr.

Robert Stanley Kilian, Sr.

X Date & Sign

Dated: 08/22/2009 /s/ Annie Ambrogio Kilian

**Annie Ambrogio Kilian** 

X Date & Sign

<sup>\*</sup> Joint debtors must provide information for both spouses. Penalty for making a false statement or concealing property: Fine up to \$500,000 or up to 5 years imprisonment or both. 18 U.S.C. 152 and 3571.

Robert Stanley Kilian Sr. and Annie Ambrogio Kilian, Debtors

### NOTICE TO INDIVIDUAL CONSUMER DEBTOR(S)

In accordance with § 342(b) of the Bankruptcy Code, this notice: (1) Describes briefly the services available from credit counseling services; (2) Describes briefly the purposes, benefits and costs of the four types of bankruptcy proceedings you may commence; and (3) Informs you about bankruptcy crimes and notifies you that the Attorney General may examine all information you supply in connection with a bankruptcy case. You are cautioned that bankruptcy law is complicated and not easily described. Thus, you may wish to seek the advice of an attorney to learn of your rights and responsibilities should you decide to file a petition. Court employees cannot give you legal advice.

#### 1. Services Available from Credit Counseling Agencies

In re

With limited exceptions, § 109(h) of the Bankruptcy Code requires that all individual debtors who file for bankruptcy relief on or after October 17, 2005, receive a briefing that outlines the available opportunities for credit counseling and provides assistance in performing a budget analysis. The briefing must be given within 180 days before bankruptcy filing. Briefing may be provided individually or in a group (including briefings conducted by telephone or on the Internet) must be provided by nonprofit budget & credit counseling agency approved by the United States trustee or bankruptcy administrator. The clerk of the bankruptcy court has a list that you may consult of the approved budget and credit counseling agencies.

In addition, after filing a bankruptcy case, an individual debtor generally must complete a financial management instructional course before he or she can receive a discharge. The clerk also has a list of approved financial management instructional courses.

#### 2. The Four Chapters of the Bankruptcy Code Available to Individual Consumer Debtors

#### Chapter 7: Liquidation (\$245 filing fee, \$39 administrative fee, \$15 trustee surcharge: Total fee \$299)

- 1. Chapter 7 is designed for debtors in financial difficulty who do not have the ability to pay their existing debts. Debtors whose debts are primarily consumer debts are subject to a "means test" designed to determine whether the case should be permitted to proceed under chapter 7. If your income is greater than the median income for your state of residence and family size, in some cases, creditors have the right to file a motion requesting that the court dismiss your case under § 707(b) of the Code. It is up to the court to decide whether the case should be dismissed.
- 2. Under chapter 7, you may claim certain of your property as exempt under governing law. A trustee may have the right to take possession of and sell the remaining property that is not exempt and use the sale proceeds to pay your creditors.
- 3. The purpose of filing a chapter 7 case is to obtain a discharge of your existing debts. If, however, you are found to have committed certain kinds of improper conduct described in the Bankruptcy Code, the court may deny your discharge and, if it does, the purpose for which you filed the bankruptcy petition will be defeated.
- 4. Even if you receive a general discharge, some particular debts are not discharged under the law. Therefore, you may still be responsible for most taxes and student loans; debts incurred to pay nondischargeable taxes; domestic support and property settlement obligations; most fines, penalties, forfeitures, and criminal restitution obligations; certain debts which are not properly listed in your bankruptcy papers; and debts for death or personal injury caused by operating a motor vehicle, vessel, or aircraft while intoxicated from alcohol or drugs. Also, if a creditor can prove that a debt arose from fraud, breach of fiduciary duty, or theft, or from a willful and malicious injury, the bankruptcy court may determine that the debt is not

#### Chapter 13: Repayment of All or Part of Debts of an Individual with Regular Income (\$235 filing fee, \$39 administrative fee: Total \$274)

- 1. Chapter 13 is designed for individuals with regular income who would like to pay all or part of their debts in installments over a period of time. You are only eligible for chapter 13 if your debts do not exceed certain dollar amounts set forth in the Bankruptcy Code.
- 2. Under chapter 13, you must file with the court a plan to repay your creditors all or part of the money that you owe them, using your future earnings. The period allowed by the court to repay your debts may be three years or five years, depending upon your income and other factors. The court must approve your plan before it can take effect.
- 3. After completing the payments under your plan, your debts are generally discharged except for domestic support obligations; most student loans; certain taxes; most criminal fines and restitution obligations; certain debts which are not properly listed in your bankruptcy papers; certain debts for acts that caused death or personal injury; and certain long term secured obligations.

#### Chapter 11: Reorganization (\$1000 filing fee, \$39 administrative fee: Total fee \$1039)

Chapter 11 is designed for the reorganization of a business but is also available to consumer debtors. Its provisions are quite complicated, and any decision by an individual to file a chapter 11 petition should be reviewed with an attorney.

#### Chapter 12: Family Farmer or Fisherman (\$200 filing fee, \$39 administrative fee: Total fee \$239)

Chapter 12 is designed to permit family farmers and fishermen to repay their debts over a period of time from future earnings and is similar to chapter 13. The eligibility requirements are restrictive, limiting its use to those whose income arises primarily from a family farm or fishing operation.

#### 3. Bankruptcy Crimes and Availability of Bankruptcy Papers to Law Enforcement Officials

A person who knowingly and fraudulently conceals assets or makes a false oath or statement under penalty of perjury, either orally or in writing, in connection with a bankruptcy case is subject to a fine, imprisonment, or both. All information supplied by a debtor in connection with a bankruptcy case is subject to examination by the Attorney General acting through the Office of the United States Trustee, the Office of the United States Attorney, and other components and employees of the Department of Justice.

**WARNING:** Section 521(a)(1) of the Bankruptcy Code requires that you promptly file detailed information regarding your creditors, assets, liabilities, income, expenses and general financial condition. Your bankruptcy case may be dismissed if this information is not filed with the court within the time deadlines set by the Bankruptcy Code, the Bankruptcy Rules, and the local rules of the court.

Attorney: W. Alexander Wilson

I (We), the debtor(s), affirm that I (we) have received and read this notice.

Bar No: 6278725

PFG Record # 447286